

Zoning Hearing Board Monthly Minutes

March 7, 2024

In Attendance: Joanne Fields; Harry Kramer; Joanne Redding; Al Champion; Tony Cascereri; Tom Panzer, Esquire; and Kenneth Farrall

1. Open meeting with the Pledge of Allegiance
 - a. Led by Joanne Redding
2. Statement of Rules and Procedures
 - a. Issued by Tom Panzer, Esquire
3. Approval of Last Month's Minutes-February 1, 2024
 - a. Motion to Approve
 - i. Harry Kramer
 - b. Second Motion to Approve
 - i. Joanne Fields
 - c. Vote to Approve Last Month's Minutes-February 1, 2024
 - i. 5/5 Ayes
4. Continued Hearing for Albert B. Moore
 - a. Appeal Number: 2023-3783
 - b. Location: 1060 Tennis Avenue
 - c. Tax Parcel Number: 02-029-033
 - d. Request: Variance for side yard setback to build laundry room addition
 - e. Exhibits
 - i. Township 1 through 3-pictures
 - f. Summary
 - i. Tom Panzer, Esquire gave a summary of last month's testimony. Ken Farrall was sworn in. Mr. Farrall looked into the storm water management and setbacks requested. Mr. Farrall testified the water flows toward the front of the building. He stated he found no findings of storm water issues. Mr. Farrall ended his testimony stating the applicant would need to apply for a permit to get the inspections needed to make sure everything is up to code and to verify the structure was constructed soundly. No further questions or comments from the Board. No one from the audience came forward in favor or opposition of the Applicant's request.
 - g. Motion to Close Testimony
 - i. Motion to Close
 1. Harry Kramer
 - ii. Second Motion to Close
 1. Al Champion
 - iii. Vote to Close Testimony
 1. 5/5 Ayes
 - h. Motion to Approve variance request for side yard setback to build a laundry room addition with the condition Applicant must apply for the proper permits.

- i. Motion to Approve
 - 1. Harry Kramer
 - ii. Second Motion to Approve
 - 1. Al Champion
 - iii. Vote to Approve variance request for side yard setback to build a laundry room addition with the condition Applicant must apply for the proper permits.
 - 1. 5/5 Ayes
- 5. Continue Hearing for LL Pepper, LLC (Attn: Lawrence P. Ceresani)
 - a. Appeal Number: 2023-4084
 - b. Location: 4570 Bristol Road
 - c. Tax Parcel: 02-016-263-002
 - d. Request: Variance to allow storage containers on property closer than ten feet to any other structure, building setback
 - e. Attorney: Andrew Stoll, Esquire
 - f. Summary
 - i. Mr. Stoll requested a Continuance to next month's hearing date.
 - g. Motion to Continue Hearing to April 4, 2024
 - i. Motion to Continue
 - 1. Al Champion
 - ii. Second Motion to Continue
 - 1. Harry Kramer
 - iii. Vote to Continue Hearing to April 4, 2024
 - 1. 5/5 Ayes
- 6. Continued hearing for Perryville Hospitality, LLC
 - a. Appeal Number: 2023-4175
 - b. Location: Lincoln Highway
 - c. Tax Parcel: 02-001-035
 - d. Request: Variances from the lot size, woodland disturbance, steep slope disturbance, loading and unloading space, sign size to construct a self-storage facility. A special exception from the building height
 - e. Attorney: Edward F. Murphy
 - f. Summary
 - i. Applicant requested a continuance to the April 4, 2024 Hearing.
 - g. Motion to Continue Hearing to April 4, 2024. Hearing must be readvertised.
 - i. Motion to Continue
 - 1. Harry Kramer
 - ii. Second Motion to Continue
 - 1. Al Champion
 - iii. Vote to Continue Hearing to April 4, 2024
 - 1. 5/5 Ayes
- 7. Continued hearing for Purvi, LLC
 - a. Appeal Number: 2024-0163
 - b. Location: 2277 Old Lincoln Highway
 - c. Tax Parcel: 02-010-001-001

d. Request: Setbacks, lot size, parking, and Use Variance to permit reconstruction of a Hilton Hotel and Quick Service Restaurant to replace the existing hotel on the property

e. Attorney: Michael Meginnis, Esquire

f. Exhibits:

i. A1-Application with Attachments

ii. A2-Certificates of Service

iii. A3-February 8, 2024 Operating Agreement

iv. A4-Hotel Equities' Info Sheet

v. A5-Architect's plan

vi. B1-Letter to the Applicant

vii. B2-Proof of Publication in the Bucks County Courier Times

viii. B3-Proof of Posting on the Premise

ix. B4-Continuance Request

g. Summary

i. The applicant purchased the Old Lincoln Motel. The Old Lincoln Motel and the Used Car Lot will be demolished and replaced with a Hilton-brand hotel and a coffee shop built adjacent to the hotel. Hotel Equities will run the Hilton-brand hotel. The hotel will be a Home 2 Suites Dual-Brand Hotel. The hotel will be one building with Home 2 Suites which will accommodate stays of five (5) or more nights and Tru which will accommodate stays of one (1) to two (2) nights. Joanne Redding expressed concern over this building being the entrance to Bensalem and the brands are listed as low-end/two (2)-star ratings. Joanne Fields questioned where on the building it will read the hotels are Hilton Hotels. Mr. Meginnis stated the property will have two (2) hotels in one (1) building. The hotel will be run under every Hilton standard and does not believe it will have a negative impact. They will no longer have trailer/truck parking. The Coffee QSR will need a half foot setback and the property will have a total of 182 parking spaces. Mr. Bijal Panwala was sworn in. Mr. Panwala managed many large hotels. He gave a summary of all the locations he has managed. This proposed hotel will have more than 140 rooms. Mr. Panwala and Mr. Meginnis reviewed the February 8, 2024 Operating Agreement and The Hotel Equities Information sheets. These documents were moved into evidence and marked as Exhibits A3 and A4. The site plan was reviewed. Al Champion raised questions regarding food service and employee parking. Mr. Panwala stated the hotel will serve a self-served breakfast. He stated, each suite will have one (1) parking space. Mr. Champion expressed his concern over parking. A condition was recommended upon approval regarding trailer/truck parking in the hotel lot. Joanne Redding expressed concern over the Board being told it was a Tru Hotel and how what is being presented is completely different. Mr. Meginnis stated that the hotel will not be an Extended Stay. No residential rooms. AL Champion questioned the use of the EV charging stations being for guests only or open for public use. Mr. Panwala stated it can be made for guests only. Joanne Redding did admit that anything is better than what is presently standing on that property. Joanne Fields questioned the possibility of low occupancy and the

possibility of the hotel not doing well. Mr. Meginnis stated the Applicants do their research. Joanne Fields also inquired about gym and/or pool access. Mr. Panwala stated those facilities will only be accessible via a guest key card. There will be no restaurant within the hotel. Keith Dumack was sworn in. He provided the plan and summarized the existing site and what will be changed per the updated proposed site plan. Al Champion questioned the way the traffic will flow. Mr. Dumack stated there is a plan to contact PennDOT for how they want the traffic to flow on and off the property. Mr. William McVey, Director of Public Safety, stated he was a police officer for 26 years and has seen many heinous crimes. The hotel that is presently on the property is well known by the police, fire department and EMS. Mr. McVey also stated nine hundred (900) calls have been responded to at that location and 250 arrests were made. The arrests were for human trafficking, felons with firearms, drugs, and prostitution. He feels that this change is much needed and hopefully be a catalyst for a positive change and an increase in the quality of life for the area. No further questions or comments from the Board. Audience member, Mary Barbee, agreed the this would be an improvement. However, she is also concerned with accumulation of more trash in the neighborhood and the flow of traffic. She lives in Nottingham, and she notices motorists cutting through the neighborhood at a high rate of speed. She was curious as to the location of the entrance and exit of the hotel and QSR. Mr. Dumack spoke with Mr. and Mrs. Barbee off the record. Mr. Joseph Barbee stated he is against the plan as it has been presented. He does not believe another hotel is needed in the area and that PennDOT needs to do something about the traffic flow. Once again, Mr. Dumack spoke with Mr. Barbee off the record about the entering and exiting of traffic. Strongly wants research about traffic flow to be done. The current number of rooms is forty (40) and the new construction will have 143 rooms. Mr. Pawana agreed to Mr. Champions recommendation for trash receptacles along the walking trail.

- h. Motion to Close Testimony
 - i. Motion to Close
 - 1. Al Champion
 - ii. Second Motion to Close
 - 1. Harry Kramer
 - iii. Vote to Close Testimony
 - 1. 5/5 Ayes
- i. Motion to Approve setbacks, lot size, and Use Variance to permit reconstruction of a Hilton Hotel and Quick Service Restaurant to replace the existing hotel on the property with the conditions set forth and agreed upon by the Board and Applicant. (Conditions: Must remain a Hilton; Development, Design and Must be constructed as presented in the rendering according to Exhibit A-5)
 - i. Motion to Approve
 - 1. Al Champion
 - ii. Second Motion to Approve
 - 1. Harry Kramer

- iii. Vote to Approve setbacks, lot size, and Use Variance to permit reconstruction of a Hilton Hotel and Quick Service Restaurant to replace the existing hotel on the property with the conditions set forth and agreed upon by the Board and Applicant. (Conditions: Must remain a Hilton; Development, Design and Must be constructed as presented in the rendering according to Exhibit A-5)

- 1. 5/5 Ayes

8. Hearing for Maria J. Diaz

- a. Appeal Number: 2024-0247
- b. Location: 898 Station Avenue
- c. Tax Parcel: 02-060-016
- d. Request: Variance for garage to be than 25% of main structure and variance to be closer to street line than principal building
- e. Exhibits
 - i. A1-Certificates of Service
 - ii. A2-Application with Attachments
 - iii. B1-Letter to the Applicant
 - iv. B2-Proof of Publication in the Bucks County Courier Times
 - v. B3-Proof of Posting on the Premise
 - vi. B4-Pictures of the property
- f. Summary
 - i. Maria Diaz was sworn in. Mrs. Diaz stated that she and her husband would like to build a three-car (3-car) garage. Between the two (2) of them, they have four (4) cars and want to keep their vehicles safe. Her husband can clean off the cars from snow in the winter longer. Ken Farrall gave a summary of the layout of the property. Harry Kramer questioned the reasoning for the position of the garage and not closer to the property. Mrs. Diaz stated the reasoning is due to the way the land is shaped. Ken Farrall stated there is no setback issue and the Township is willing to collaborate with the Applicant through the Land and Development phase with the placement. The main concern the Board expressed was over the possibility of Commercial Use in the future. The Board and Mrs. Diaz agreed upon provision such as no electricity, no water, the max height to the peak is 13.5 feet and eight (8) feet internally floor to ceiling, placement must inline with the pool, and no commercial use. No further questions and/or comments from the Board. No one from the audience came forward in favor or in opposition of the Applicant's request.
- g. Motion to Close Testimony
 - i. Motion to Close
 - 1. Harry Kramer
 - ii. Second Motion to Close
 - 1. All Champion
 - iii. Vote to Close Testimony
 - 1. 5/5 Ayes
- h. Motion To Approve variance for garage to be greater than 25% of main structure and variance to be closer to street line than principle building with the following provisions:

No Electricity, No Water, No Commercial Use, Max height of 13.5 feet to the peak of the garage, Internal height of eight (8) feet from the floor to the ceiling.

- i. Motion to Approve
 1. Harry Kramer
- ii. Second Motion to Approve
 1. Al Champion
- iii. Vote to Approve variance for garage to be greater than 25% of main structure and variance to be closer to street line than principle building with the following provisions: No Electricity, No Water, No Commercial Use, Max height of 13.5 feet to the peak of the garage, Internal height of eight (8) feet from the floor to the ceiling.
 1. 5/5 Ayes

9. Hearing for Arthur Anderson

- a. Appeal Number: 2024-0309
- b. Location: 1158 Bristol Pike
- c. Tax Parcel: 02-029-229
- d. Request: Variance for impervious coverage, side yard and rear yard setback and parking to construct addition.
- e. Attorney: Christopher Steward
- f. Exhibits
 - i. A1-Application with Attachments
 - ii. A2-Certificates of Service
 - iii. B1-Letter to the Applicant
 - iv. B2-Proof of Publication in the Bucks County Courier Times
 - v. B3-Proof of Posting on the premise.
- g. Summary
- h. Mr. Steward, attorney for the Applicant, gave a summary of the property (1951 V.F.W. Post). Mr. Steward spoke about the fourteen (14) feet by thirty feet addition to the existing structure. The addition will consist of three (3) rooms—one room will be a smoking room, another room will be a conference room, and the last room will be a walk-in box. Presently, there is no place for the members to smoke and this room will keep the members from hanging around the outside and discarding their cigarettes on the ground. They have no conference room presently. Currently, delivery services need to go through the bar area to get to the walk-in box. This addition will prevent the deliveries going through the bar area. The owner does not foresee this addition causing any increase in memberships, causing no reason to change the number of parking spaces on the property. Arthur Anderson, treasure for the VFW Post, was sworn in and adopted Mr. Steward's summary as his testimony. No comments or questions from the Board. Mr. William Siemion came forward from the audience. Mr. Siemion is in favor of the request. He believes this addition will be an improvement. No other audience members came forward in favor or opposition of the Applicant's request.
- i. Motion to Close Testimony
 - i. Motion to Close

- 1. Harry Kramer
 - ii. Second Motion to Close
 - 1. Al Champion
 - iii. Vote to Close Testimony
 - 1. 5/5 Ayes
 - j. Motion to Approve variance for impervious coverage, side yard and rear yard setback and parking to construct addition.
 - i. Motion to Approve
 - 1. Harry Kramer
 - ii. Second Motion to Approve
 - 1. Al Champion
 - iii. Vote to Approve Variance for impervious coverage, side yard and rear yard setback and parking to construct addition.
 - 1. 5/5 Ayes
10. Hearing for Kamlesh C., Reshma K., and Rimpal Patel
- a. Appeal Number: 2024-0339
 - b. Location: 5107 Inlet Drive
 - c. Tax Parcel: 02-074-162
 - d. Request: Variance for impervious coverage and retaining wall setbacks
 - e. Summary
 - i. Mr. Manav Patel, son of Applicant, Rimpal Patel, was sworn in. He stated his father originally wanted to build a deck and was rejected. Pavers were put in instead. They were not aware of there was a permit process for pavers. They put in a pop-up drain and it is used water-absorbing pavers. Concrete was also added to the front of the house to make a small patio. They have not received any complaints from the neighbors regarding water issues. The complaint was over not having permits. Ken Farrall suggested a condition that Land and Development verify/inspect the changes that were done. Mr. Farrall wants to make sure the pavers are indeed pervious, and sand and stone was used as fillers. Ken suggested Mr. Patel request a continuance to next month's meeting. Mr. Patel accepted Mr. Farrall's recommendation and requested a continuance to the April 4, 2024 meeting.
 - f. Motion to Continue to April 4, 2024
 - i. Motion to Continue
 - 1. Harry Kramer
 - ii. Second Motion to Continue
 - 1. Al Champion
 - iii. Vote to Continue Hearing to April 4, 2024
 - 1. 5/5 Ayes
11. Hearing for Arturo Santiago
- a. Appeal Number: 2024-0368
 - b. Location: 2835 Pearl Avenue
 - c. Tax Parcel: 02-043-037

- d. Request: Variance for accessory structure to be less than ten (10) feet from other structure.
 - e. Exhibits
 - i. A1-Application with Attachments
 - ii. A2-Certificates of Services
 - iii. B1-Letter to the Applicant
 - iv. B2-Proof of Publication in the Bucks County Courier Times
 - v. B3-Proof of Posting on the Premise
 - f. Summary
 - i. Mr. Arturo Santiago was sworn in. Mr. Santiago stated he wanted to place pavers down to make a patio and place a pavilion over the patio. There was some confusion regarding the differences in setback amounts between the plan and the request. Ken Farrall spoke to that confusion. The original request did not include the bump-out and the actual submitted plan did. Mr. Santiago agreed that the structure will be constructed according to the plan submitted which includes the eight (8) foot bump-out. No questions nor comments from the Board. No one from the audience came forward in favor or opposition of the Applicant's request.
 - g. Motion to Close Testimony
 - i. Motion to Close
 - 1. Al Champion
 - ii. Second Motion to Close
 - 1. Harry Kramer
 - iii. Vote to Close Testimony
 - 1. 5/5 Ayes
 - h. Motion to Approve variance for accessory structure to be less than ten (10) feet from other structure.
 - i. Motion to Approve
 - 1. Al Champion
 - ii. Second Motion to Approve
 - 1. Harry Kramer
 - iii. Vote to Approve variance for accessory structure to be less than ten (10) feet from other structure.
 - 1. 5/5 Ayes
12. Hearing for Jose Marrero
- a. Appeal Number: 2024-0413
 - b. Location: 1905 Brown Avenue
 - c. Tax Parcel: 02-039-157
 - d. Request: Variance for shed to be larger than 25% of the main dwelling and variance for impervious surface to exceed 45%.
 - e. Summary
 - i. The applicant spoke with Ken Farrall. Relief is no longer required. Permit was granted. No action is needed by the Board.
13. Hearing for Tom Hughes—Squire Home Builders, LLC

- a. Appeal Number: 2024-0490
 - b. Location: Paris Avenue and Cedar Avenue (Lot #2)
 - c. Tax Parcel: 02-007-124-002
 - d. Request: Variance for lot area, front yard setback and driveway width
 - e. Exhibits
 - i. A1-Application
 - ii. A2-Certificates of Service
 - iii. A3-Packet
 - iv. B1-Letter to the Applicant
 - v. B2-Proof of Publication in the Bucks County Courier Times
 - vi. B3-Proof of Posting on the property.
 - vii. B4-2008 Decision regarding the Property
 - viii. B5-Preliminary/Finalization of Subdivision Change Plan
 - f. Summary
 - i. Chelsea Jackson, Attorney for the Applicant, summarized the property request and gave a history of the Applicant. The driveway variance was withdrawn. Tom Hughs was sworn in and adopted Ms. Jackson’s summary as his testimony. He stated that nothing materialized from the acquisition of the neighbor’s property fifteen (15) years ago. Al Champion stated the lot was subdivided in 2008 and is a self-inflicted hardship and he summarized the 2008 ruling. The applicant is stating the ruling was accurate. Applicant and Mr. Champion disagree upon the 2008 decision. A Request for a continuance to the April 4, 2024 hearing was requested and the applicant will waive requirements.
 - g. Motion to Continue Hearing to April 4, 2024
 - i. Motion to Continue
 - 1. Harry Kramer
 - ii. Second Motion to Continue
 - 1. Al Champion
 - iii. Vote to Continue Hearing to April 4, 2024
 - 1. 5/5 Ayes
14. Hearing for Tom Hughes—Squire Home Builders, LLC
- a. Appeal Number: 2024-0493
 - b. Location: Kay Avenue and Cedar Avenue (Lot #3—PECO)
 - c. Tax Parcel: 02-007-116-001
 - d. Request: Variance for lot area, front yard setback and driveway width
 - e. Exhibits
 - i. A1-Application
 - ii. A2-Certificates of Service
 - iii. A3-Packet
 - iv. B1-Letter to the Applicant
 - v. B2-Proof of Publication in the Bucks County Courier Times
 - vi. B3-Proof of Posting on the property.
 - vii. B4-2008 Decision regarding the Property
 - viii. B5-Preliminary/Finalization of Subdivision Change Plan

- f. Chelsea Jackson, Attorney for the Applicant, summarized the property request and gave a history of the Applicant. The driveway variance was withdrawn. Tom Hughs was sworn in and adopted Ms. Jackson’s summary as his testimony. He stated that nothing materialized from the acquisition of the neighbor’s property fifteen (15) years ago. Al Champion stated the lot was subdivided in 2008 and is a self-inflicted hardship and he summarized the 2008 ruling. The applicant is stating the ruling was accurate. Applicant and Mr. Champion disagree upon the 2008 decision. A Request for a continuance to the April 4, 2024 hearing was requested and the applicant will waive requirements.
 - g. Motion to Continue Hearing to April 4, 2024
 - i. Motion to Continue
 - 1. Harry Kramer
 - ii. Second Motion to Continue
 - 1. Al Champion
 - iii. Vote to Continue Hearing to April 4, 2024
 - 1. 5/5 Ayes
15. Hearing for Tom Hughes—Squire Home Builders, LLC
- a. Appeal Number: 2024-0492 (Lot #1)
 - b. Tax Parcel: 02-007-044-002
 - c. Request: Variance for lot area, front yard setback and driveway width
 - d. Exhibits
 - i. A1-Application
 - ii. A2-Certificates of Service
 - iii. A3-Packet
 - iv. B1-Letter to the Applicant
 - v. B2-Proof of Publication in the Bucks County Courier Times
 - vi. B3-Proof of Posting on the property.
 - vii. B4-2008 Decision regarding the Property
 - viii. B5-Preliminary/Finalization of Subdivision Change Plan
 - e. Chelsea Jackson, Attorney for the Applicant, summarized the property request and gave a history of the Applicant. The driveway variance was withdrawn. Tom Hughs was sworn in and adopted Ms. Jackson’s summary as his testimony. He stated that nothing materialized from the acquisition of the neighbor’s property fifteen (15) years ago. Al Champion stated the lot was subdivided in 2008 and is a self-inflicted hardship and he summarized the 2008 ruling. The applicant is stating the ruling was accurate. Applicant and Mr. Champion disagree upon the 2008 decision. A Request for a continuance to the April 4, 2024 hearing was requested and the applicant will waive requirements.
 - f. Motion to Continue Hearing to April 4, 2024
 - i. Motion to Continue
 - 1. Harry Kramer
 - ii. Second Motion to Continue
 - 1. Al Champion
 - iii. Vote to Continue Hearing to April 4, 2024
 - 1. 5/5 Ayes

16. Correspondence

- a. Two (2) Appeals are being heard in the Court of Common Pleas
 - i. B & A
 - 1. Oral Arguments are due April 9, 2024
 - ii. Mount Corporation
 - 1. Oral Arguments are due April 9, 2024
17. Adjournment
- a. Motion to Adjourn
 - i. Harry Kramer
 - b. Second Motion to Adjourn
 - i. Tony Cascerceri
 - c. Vote to Adjourn
 - i. 5/5 Ayes